

REMARKS

This Amendment and Response to Non-Final Office Action is being submitted in response to the non-final Office Action mailed March 17, 2006. Claims 1-10 are pending in the Application. The drawings are objected to under 37 C.F.R. 1.84(p)(5). Claims 1-9 stand rejected under 35 U.S.C. 112 failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. Claim 10 stands rejected under 35 U.S.C. 102(b) as being anticipated by Cardone et al. (U.S. Pat. No. 3,786,386).

DRAWING OBJECTIONS

The Examiner objects to the drawings under 37 C.F.R. 1.84(p)(5). Specifically, the Examiner states that the drawings must show every feature of the invention specified in the claims. The Applicant has submitted a replacement specification, which clearly identifies each of the numbered features depicted in the drawings. In light of the amended Specification, the Applicant respectfully submits that the current rejection is moot, and requests its withdrawal.

CLAIM REJECTIONS – 35 U.S.C. 112, SECOND PARAGRAPH

Claims 1-9 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

With regards to Claim 1, the Examiner points out that “said mandrel member” lacks the requisite antecedent basis. The Applicant has amended Claim 1 as follows:

1. (Currently Amended) A device for positioning a hole former within a casting mold, said casting mold comprising an inner mold form and an outer jacket, said inner mold form further comprising an inner surface and an upper surface, said device comprising:
 - at least one hole former member that is adapted for secured placement against at least one of said inner surface or outer jacket;
 - at least one bracket member capable of attachment to said ~~mandrel~~ hole former member, said bracket member adapted to substantially abut said inner surface and said upper surface;
 - at least one magnet assembly, said magnet assembly being adapted to releasably attach said bracket to said upper surface.

With regard to Claim 3, the Examiner states that the limitation “said outer casing” lacks the requisite antecedent basis. The Applicant respectfully points out that Claim 3 is dependent from Claim 2. The necessary antecedent basis can be found in Claim 2, which recites:

2. (Original) The device for positioning a hole former of claim 1, wherein said at least one magnet assembly comprises a plurality of magnets, a plurality of pole pieces, and an outer casing.

In light of the Amendment to Claim 1, and the comments presented herein, the Applicant respectfully submits that the current rejection is moot, and requests its withdrawal.

CLAIM REJECTIONS – 35 U.S.C. 102(a) – Cardone et al.

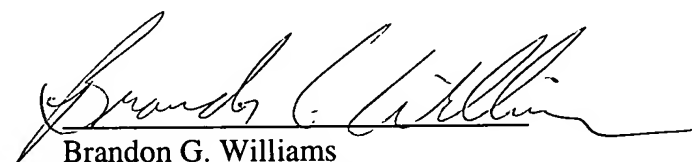
Claim 10 stands rejected under 35 U.S.C. 102(a). The Applicant has canceled Claim 10.

CONCLUSION

Applicant would like to thank Examiner for the attention and consideration accorded the present Application. Should Examiner determine that any further action is necessary to place the Application in condition for allowance, Examiner is encouraged to contact undersigned Counsel at the telephone number, facsimile number, address, or email address provided below. It is not believed that any fees for additional claims, extensions of time, or the like are required beyond those that may otherwise be indicated in the documents accompanying this paper. However, if such additional fees are required, Examiner is encouraged to notify undersigned Counsel at Examiner's earliest convenience.

Respectfully submitted,

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